

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RACHEL RODRIGUES,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social
Security,

Defendant.

No. 1:16-CV-03003-RHW

**ORDER GRANTING MOTION FOR
REMAND**

Before the Court is a Stipulated Motion for Remand, ECF No. 19. The motion was heard without oral argument. Attorney D. James Tree represents Ms. Rodrigues and Special Assistant United States Attorney Jeffery R. McClain represents Defendant (“the Commissioner”).

The parties jointly move the Court for an order reversing the Commissioner’s decision and remanding the above-captioned matter for further administrative proceedings. ECF No. 19. On remand, Ms. Rodrigues will be afforded a new hearing and a new decision regarding her application for Supplemental Security Income under Title XVI of the Social Security Act.

1 Based on the agreement of the parties and the record, the Court finds good
2 cause to grant the stipulated motion to remand this matter. Accordingly, the
3 Commissioner's decision to deny Plaintiff's application for disability benefits is
4 REVERSED and REMANDED for further proceedings including a *de novo*
5 hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the
6 Appeals Council will direct the Administrative Law Judge ("ALJ") to complete the
7 following: (1) reevaluation of the medical and other opinion evidence, including
8 the other source opinions from the Central Washington Comprehensive Mental
9 Health providers; (2) in light of the expanded record, reassess Ms. Rodrigues'
10 credibility; (3) reevaluation of Ms. Rodrigues' residual functional capacity; and (4)
11 further consideration of the remaining steps of the sequential evaluation process,
12 with consideration of supplemental vocational expert testimony, as necessary.

13 Upon proper presentation, the Court will consider Ms. Rodrigues'
14 application for costs and attorney's fees under 28 U.S.C. § 2412(d).

15 Accordingly, **IT IS HEREBY ORDERED:**

16 1. The Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**.

17 2. The Commissioner's decision is **REVERSED** and this matter is
18 **REMANDED** for further administrative proceedings consistent with this order.

19 3. The District Court Executive shall enter judgment for Plaintiff and against
20 Defendant.

21 4. All pending motions shall be terminated.

22 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
23 Order, forward copies to counsel, and **close the file**.

24 **DATED** this 20th day of October, 2016.

25
26 s/Robert H. Whaley
27 ROBERT H. WHALEY
28 Senior United States District Judge